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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/724,651	11/28/2000	Malcolm A. DeLeo	360.76A	7707

7590

03/27/2002

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EXAMINER

BOYER, CHARLES I

ART UNIT	PAPER NUMBER
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1751

DATE MAILED: 03/27/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.

MFE

**Office Action Summary**Application No.  
**09/724,651**Applicant(s)  
**DeLeo et al**Examiner  
**Charles Boyer**Art Unit  
**1751**

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on Nov 28, 2000.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. § 119**

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some\* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

**Attachment(s)**

- 15) ☒ Notice of References Cited (PTO-892)                      18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 4                      20) ☐ Other:

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

2. Claims 1-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Cheung et al, US 6,306,810.

Cheung et al teach hard surface cleaners comprising fluorosurfactants (see abstract). An example of such a composition comprises 0.1% fluorinated alkyl alkoxylate, 0.2% quaternary ammonium germicide, 0.084% sodium carbonate, 1% additional nonionic surfactants, and the balance water (col. 18, example 7). As this reference meets all material limitations of the claims at hand, the reference is anticipatory.

With respect to the fluoropolymer limitation of the present claims, as no parameters are set forth to define what is meant by fluoropolymer, the examiner must give this term its broadest possible meaning. Accordingly, the examiner maintains a fluorinated polyalkoxylate meets the fluoropolymer limitation of the present claims.

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3. Claims 1-5 and 7-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Yeggy et al, US 6,258,772.

Yeggy et al et al teach hard surface cleaners comprising fluorosurfactants (see abstract). An example of such a composition comprises 5% fluorophosphate surfactant, 65% alcohol ethoxylate, 10% sodium tripolyphosphate, and the balance water (col. 9, example 3). As this reference meets all material limitations of the claims at hand, the reference is anticipatory.

4. Claims 1-5 and 7-9 are rejected under 35 U.S.C. 102(b) as being anticipated by McLeod, US 4,847,004.

McLeod teaches a hard surface cleaner comprising fluorosurfactants (see abstract). An example of such a composition comprises 0.1% fluorinated alkyl alkoxylate, 0.2% amine oxide, 18% EDTA, and the balance water (col. 4, example J). As this reference meets all material limitations of the claims at hand, the reference is anticipatory.

5. Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Sokol, US 4,020,016.

Sokol teaches hard surface cleaners comprising fluorosurfactants (see abstract). An example of such a composition comprises 0.04% fluorinated alkyl alkoxylate, 0.5% quaternary ammonium germicide, 3% EDTA, 1% ethoxylated alcohol, and the balance water (col. 6,

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example 1B). As this reference meets all material limitations of the claims at hand, the reference is anticipatory.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Boyer whose telephone number is (703) 308-2524. The examiner can normally be reached on Monday-Friday from 9:30 AM - 6:00 PM.

If reasonable attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra Gupta, can be reached on (703) 308-4708. The fax phone number for this Group is (703) 872-9310 for non-after-final amendments and (703) 872-9311 for after-final amendments.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0661.

A handwritten signature in cursive script, reading "Charles Boyer". The signature is written in dark ink and is positioned above the printed name "Charles Boyer".

Charles Boyer

March 21, 2002